

REMARKS

Claims 1-47 remain pending in the application.

35 U.S.C. § 103(a) Rejection:

Claims 1-47 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Avery, U.S. Patent 6,691,185, in view of Keller, U.S. Patent 6,557,048. Applicant respectfully traverses this rejection.

The Keller reference is not prior art to the present application under 35 U.S.C. § 103. The American Inventors Protection Act of 1999 amended 35 U.S.C. § 103(c) to state that art which qualifies as prior art only under § 102(e), (f) or (g) is not available for rejections under § 103 if that art and the subject matter of the application under examination were owned by or subject to an obligation of assignment to the same assignee at the time the invention was made. This change to 35 U.S.C. § 103(c) is effective for any application filed on or after November 29, 1999. The present application is an application (CPA) for patent filed after November 29, 1999. At the time the invention was made, the subject matter of present application and the Keller patent were both owned by or subject to an obligation of assignment to the same assignee, Advanced Micro Devices, Inc., as evidenced by the assignment for the present application recorded in the PTO at reel 012574, frame 0113, and the assignment for the Keller patent recorded in the PTO at reel 010373, frame 0238. Therefore, the amendment to 35 U.S.C. § 103(c) made by the American Inventors Protection Act of 1999 applies to the present application and operates to exclude the Keller patent as available prior art for rejections under 35 U.S.C. § 103.

Applicant accordingly believes the 35 U.S.C. § 103(a) rejection to be moot and thus respectfully requests its removal.



CONCLUSION

Applicants submit the application is in condition for allowance, and an early notice to that effect is requested.

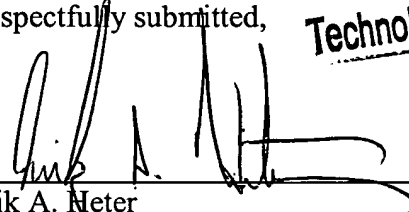
If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5500-73200/BNK.

Also enclosed herewith are the following items:

☒ Return Receipt Postcard

Respectfully submitted,

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AUG 06 2004
Technology Center 2100



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